



Agenda Item Number: 2006-2-9C

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: February 28, 2006

Department: Sheriff's Department **Staff Contact:** Darren P. White, Sheriff
John Dantis, Deputy County Manager for
Public Safety

TITLE: Prisoner Transportation Agreement

ACTION: Motion to:

1. Terminate the Agreement with the Wackenhut Corporation for prisoner transport services.
2. Authorize the County Manager to award and execute a new agreement for prisoner transport services.

SUMMARY:

On October 25, 2005, the Board awarded RFP 02-06-JJ for Prisoner Transport Services to the Wackenhut Corporation (Wackenhut) as the highest ranked offeror evaluated and interviewed by the Selection Advisory Committee. Staff is now requesting that the Board terminate the Prisoner Transport Services Agreement with Wackenhut based on its inability to comply with the terms of the Agreement.

On January 13, 2006, staff met with a representative from Wackenhut regarding compliance issues and placed Wackenhut on notice of a possible termination of the Agreement if the terms of the Agreement were not met. Since the inception of the Agreement, Wackenhut has been late extraditing 26 out of 50 transport prisoners from holding facilities and has continued to have difficulties meeting scheduled court ordered pick-ups.

Based on the need to continue prisoner transport services, staff requests that the Board authorize the County Manager to award and execute a new prisoner transport services agreement. The Purchasing Department will solicit a new RFP for these services.

FISCAL IMPACT

Court Services Division	BC01-551400-26CS	\$160,000.00
-------------------------	------------------	--------------

STAFF ANALYSIS SUMMARY

COUNTY MANAGER

Failure to comply with the terms and conditions of the Agreement is grounds for termination. The inability to extradite prisoners from holding facilities for transport back to New Mexico by the scheduled court ordered deadline is not acceptable. I recommend Board approval. TL
02/22/06

DEPUTY COUNTY MANAGER FOR PUBLIC SAFETY

Unfortunately, the Wackenhut Corporation has failed to comply with the provisions of the Agreement. Prisoner movement must comply with court orders. Wackenhut's failure to comply creates major system problems. I recommend approval of this item. JDantis 2/22/06

LEGAL

The proposed termination complies with the terms of the Agreement between the parties. JSL 2/22/06

FINANCE

Budget	Funding will come from the Sheriff's Extradition account BC01-551400-26CS. Currently an available balance of \$143,767 exists for all prisoner transport expenditures. If an increase in funding is necessary additional sources will need to be identified by the Sheriff's Department at that time. Nona Lane, Financial Services Administrator III 2/22/06
Purchasing	Proper purchasing procedures will be followed in the solicitation, evaluation, and award of a new RFP for Prisoner Transport Services. Lisa Sedillo-White, Purchasing Director 2/20/06
Contracts	Per the Agreement with the Wackenhut Corporation (Contractor), the County may exercise their right to terminate the Agreement for convenience by giving the Contractor a 30-day notice of termination in writing. Lisa Sedillo-White, Purchasing Director 2/20/06
Risk Management	No comment required for cancellation of Agreement with the Wackenhut Corporation. David A. Baca, Risk Management 02/20/06

ELECTED OFFICIALS/OTHER

Sheriff's Department	I support the approval of the agenda item to terminate the Agreement with the Wackenhut Corporation. Darren P. White 02/22/2006
-----------------------------	---------------------------------------------------------------------------------------------------------------------------------